

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 496**

**FISCAL  
NOTE**

By Senator Chapman

[Introduced January 19, 2026; referred

to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §11-21-12o, relating to modifications reducing the federal adjusted gross  
3 income related to retirement; providing rule-making authority; and setting forth an effective  
4 date.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 21. PERSONAL INCOME TAX.**

**§11-21-12o. Additional modification reducing federal adjusted gross income related to  
retirement income.**

1 (a) In addition to amounts authorized to be subtracted from federal adjusted gross income  
2 pursuant to §11-21-12(c) of this code, amounts received as retirement allowances, pensions,  
3 annuities or optional retirement allowances paid under the Federal Social Security Act, the  
4 Railroad Retirement Act, the Federal Civil Service Retirement Act, or any other retirement system  
5 of the United States government, retirement allowances paid under the West Virginia Public  
6 Employees' Retirement System, or any other retirement system of the State of West Virginia or  
7 any political subdivision thereof, are authorized modifications reducing federal adjusted gross  
8 income. The exemption allowed under this section shall be available to the spouse or other  
9 beneficiary at the death of the primary retiree.

10 (b) The Tax Commissioner may propose rules necessary to carry out the provisions of this  
11 section and to provide guidelines and requirements to ensure uniform administrative practices  
12 statewide to effectuate the intent of this section, all in accordance with the provisions of §29A-3-1  
13 et seq. of this code.

14 (c) The provisions of this section are effective for taxable years beginning on or before  
15 January 1, 2027.

NOTE: The purpose of this bill is to modify the federal adjusted gross income with respect to retirement income.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.